

MINUTE ITEM

This Calendar Item No. C15
was approved as Minute Item
No. 15 by the State Lands
Commission by a vote of 3
to 0 at its 8-12-91
meeting.

CALENDAR ITEM

A 12

C 1 5

08/12/91
W 24690
PRC 7540
Martinez

S 9

AMENDMENT OF DREDGING PERMIT

APPLICANT:

City of Berkeley
Engineering Division
2001 Addison Street, 3rd Floor
Berkeley, California 94704

AREA, TYPE LAND AND LOCATION:

Granted, mineral reservation lands in San Francisco Bay at
Berkeley Harbor, Alameda County.

LAND USE:

The original permit allowed the Applicant to dredge a
maximum 54,500 cubic yards of material from the City of
Berkeley public marina to maintain depth. The material will
be deposited at the EPA/Corps-approved in-bay disposal sites
SF11-Alcatraz.

TERMS OF ORIGINAL PERMIT:

Initial period:
One (1) year beginning May 24, 1991.

Royalty:

No charge for aquatic disposal and public benefit
project; \$0.25 per cubic yard for any material sold or
used for commercial purposes.

Additional Fee:

\$0.25 per cubic yard for any dredged material disposed
of at any site in San Francisco Bay, including, but not
limited to, SF-11, to offset costs of studies necessary
to develop non-bay disposal sites for future use.

TERMS OF PROPOSED PERMIT AMENDMENT:

Increase the volume to be dredged from State-owned lands
from 54,500 cubic yards of material to 73,000 cubic yards of
material to maintain a previously authorized navigable

CALENDAR ITEM NO. C 1 5 (CONT'D)

depth. The amendment authorized by BCDC to be dredged from the entirety of the marina will not be exceeded as a consequence of the approval of this amendment.

PREREQUISITE CONDITIONS, FEES AND EXPENSES:

Filing fee and processing costs have been received.

STATUTORY AND OTHER REFERENCES:

A. P.R.C.: Div. 6, Parts 1 and 2; Div. 13.

B. Cal. Code Regs.: Title 3, Div. 3; Title 14, Div. 6.

AB 884:

01/07/92

OTHER PERTINENT INFORMATION:

1. The Commission considered and approved the original project on May 23, 1991. The volume was based on a contractor-estimate. The increased volume is necessary to satisfactorily complete the project.
2. An environmental analysis was prepared, circulated, and adopted for this project through the regulatory program of the SFBCDC which has been certified by the Secretary for Resources as meeting the requirements of P.R.C. 21080.5 for a Functional Equivalent Agency. The document concluded that the project, as defined, will have no significant environmental effects within the Commission's jurisdiction or special expertise.

The SFBCDC, as Lead Agency, consulted with the Responsible Agencies, as required by the State CEQA Guidelines Section 15263, and determined that the project, as approved, would not have a significant effect on the environment. The consultation included an opinion by the National Marine Fisheries Service that dredging the area under SLC jurisdiction will have no adverse effect on water-run Chinook salmon. The staff of the State Lands Commission has reviewed the SFBCDC's environmental analysis and believes that the conditions have been met for the Commission, as a Responsible Agency, to use the document as a substitute for a Negative Declaration as provided under the State CEQA Guidelines, Section 15253.

APPROVALS OBTAINED:

United States Army Corps of Engineers, Regional Water

EXHIBIT:

A. Site Map

IT IS RECOMMENDED THAT THE COMMISSION:

1. FIND THAT AN ENVIRONMENTAL ANALYSIS WAS PREPARED, CIRCULATED, AND ADOPTED FOR THIS PROJECT BY THE SAN FRANCISCO BAY CONSERVATION AND DEVELOPMENT COMMISSION UNDER ITS CERTIFIED STATE REGULATORY PROGRAM (14 CAL. CODE REGS. 15251[h]); THAT THE CONDITIONS SPECIFIED IN 14 CAL. CODE REGS. 15253(b) HAVE BEEN MET, THAT THE STATE LANDS COMMISSION HAS REVIEWED SUCH DOCUMENT AND, PURSUANT TO 14 CAL. CODE REGS. 15253(a), THE COMMISSION, AS A RESPONSIBLE AGENCY, HAS CONSIDERED THE INFORMATION THEREIN AND ADOPTS THAT ENVIRONMENTAL ANALYSIS AS A SUBSTITUTE FOR NEGATIVE DECLARATION.

2. AUTHORIZE STAFF TO ISSUE TO THE CITY OF BERKELEY, A DREDGING PERMIT AMENDMENT ON FILE IN THE OFFICE OF THE STATE LANDS COMMISSION. THE PERMIT AMENDMENT SHALL ALLOW DREDGING A MAXIMUM 73,000 CUBIC YARDS OF MATERIAL FROM BERKELEY HARBOR, ALAMEDA COUNTY, FROM MAY 24, 1991 THROUGH MAY 23, 1992. ALL OTHER TERMS AND CONDITIONS OF THE ORIGINAL PERMIT SHALL REMAIN UNCHANGED. THE PERMITTED ACTIVITY IS CONTINGENT UPON THE APPLICANT'S COMPLIANCE WITH APPLICABLE PERMIT, RECOMMENDATIONS, AND LIMITATIONS ISSUED BY FEDERAL, STATE, AND LOCAL GOVERNMENT AGENCIES.

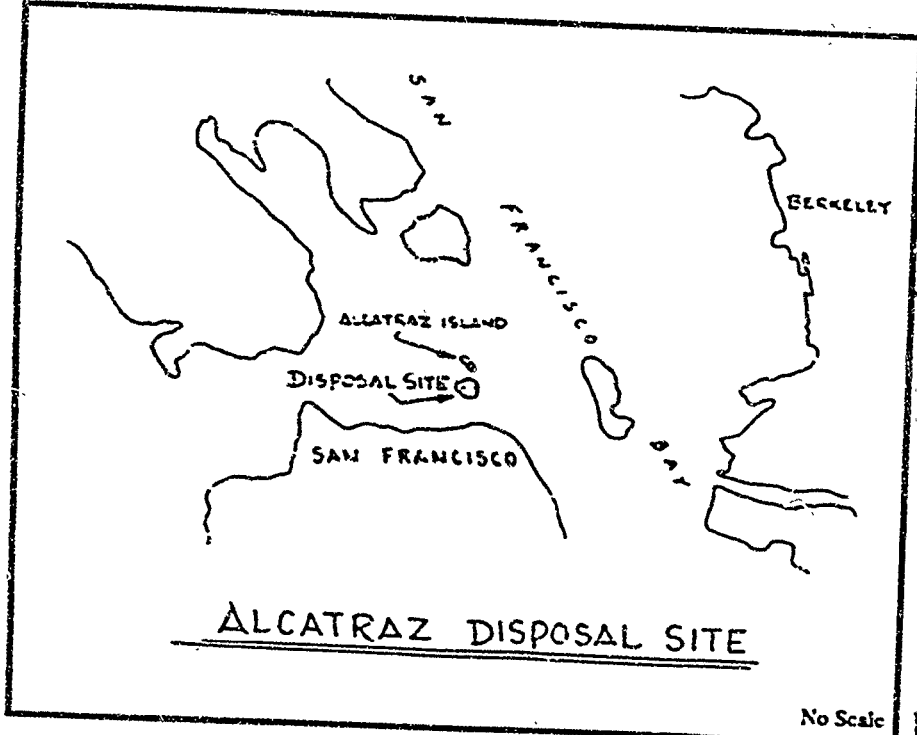
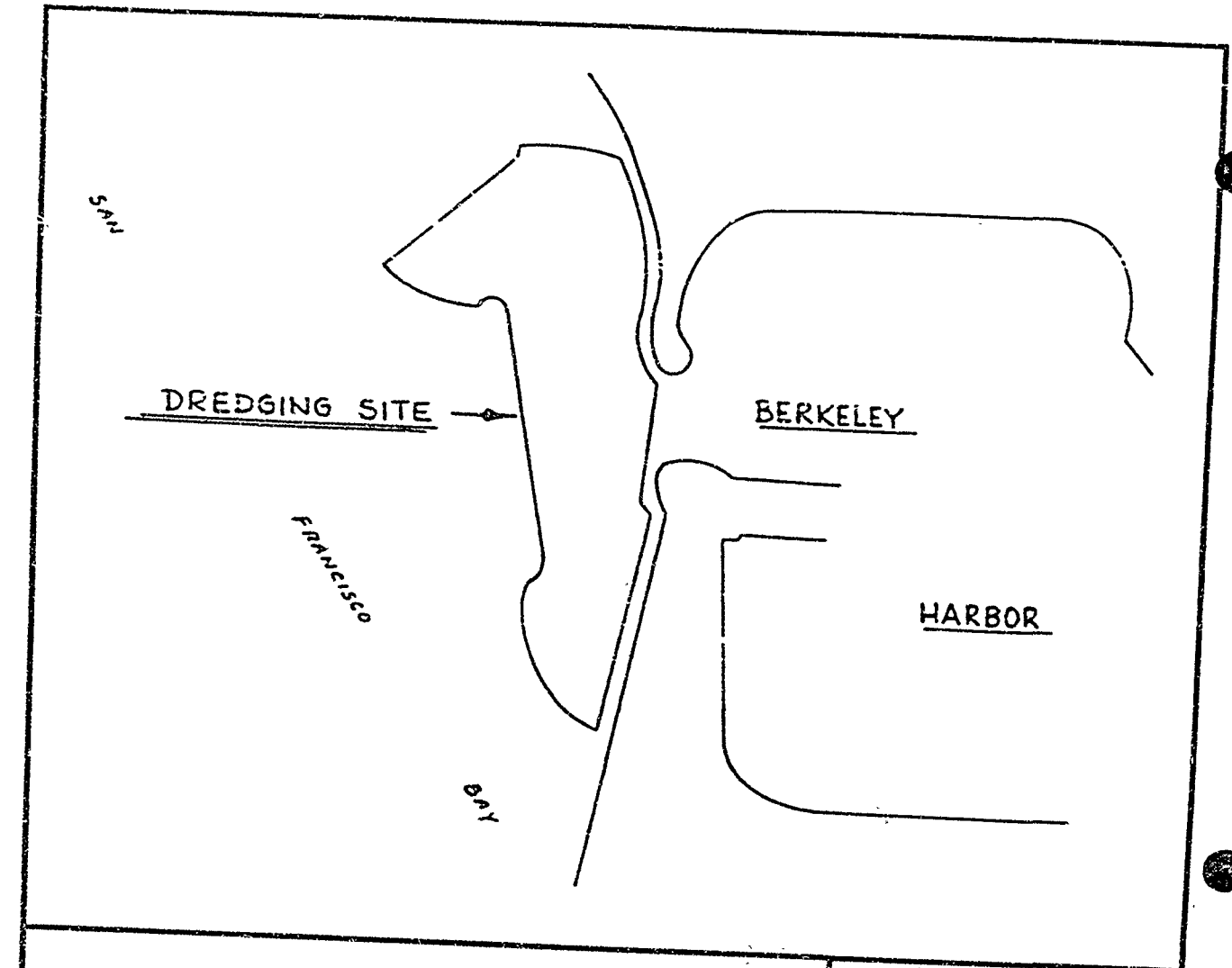


EXHIBIT "A"
 APPLICATION FOR
 DREDGING PERMIT
 AMENDMENT
 CITY OF BERKELEY
 W 24690
 SAN FRANCISCO BAY
 ALAMEDA COUNTY



No Scale

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